

**From:** Ted Roby  
**To:** Microsoft ATR  
**Date:** 1/25/02 4:12pm  
**Subject:** Microsoft Settlement

In regards to the proposed settlement for the Microsoft Antitrust Trial, to be submitted by January 28th, 2002:

In reviewing the details of the proposed settlement, I find many loopholes and variations in it's definition. I would like to express simply, and clearly what makes sense to me in regards to the operation of Microsoft.

First, definitions of both Windows OS and Middleware should not be so limited. Microsoft, like any other forward moving business will within the year have new services and applications available that will not be covered by these definitions. To put it plainly, I offer the following statements:

1. Any developer should be able to write software that will run on Microsoft Operating System platforms, in use now or in the future.
2. Any developer should be able to create their own OS that would allow Microsoft and Windows-based applications to run on their OS.
3. Microsoft should not be able to in any way, coerce or use leverage over any computer hardware manufacturer to prevent them from developing for non-Microsoft developers and companies.

In my opinion, this would create an environment where Microsoft's applications and operating systems would stand on their own merit. There is no reason for Microsoft to release any of it's source code if it does not wish to. So long as source code and tools are made available for the use of creating applications that can run on Microsoft operating systems, and operating systems that can run Microsoft applications.

Any punishment taken against Microsoft should be with respect to keeping Microsoft from bullying any developer, service provider, or manufacturer who wishes to use something besides Microsoft products.

Under normal circumstances I would agree with letting a company reward those who use it's products, but since Microsoft has already gained it's monopoly, and has been found to hold far more power than should be allowed, I believe no such benefits should be given. Microsoft needs to let it's applications and services stand on their own merit for a while. It should be encouraged to focus it's efforts

on making a product that stands out on it's own without the bullying  
and coercion that Microsoft has been famous for.

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